

### **AMENDMENTS TO THE CLAIMS**

*The listing of claims will replace all prior versions and listings of claims in the application:*

#### **Listing of Claims:**

1-16. (Canceled).

17. (Currently Amended) A device for engaging tissue, comprising:

an annular-shaped body defining a plane and disposed about a central axis extending substantially normal to the plane, the body being resiliently deformable from a substantially planar configuration lying generally in the plane towards a transverse configuration extending out of the plane, the body comprising a plurality of looped elements extending about a periphery of the body, each looped element including a curved outer region connected to a curved inner region, the curved outer region being out of phase with adjacent curved inner regions, adjacently positioned looped elements being connected to form an endless sinusoidal pattern; and

a plurality of tines extending from the looped elements towards the central axis of the generally annular-shaped body in the planar configuration, and generally parallel to the central axis in the transverse configuration, the tines comprising tips having a predetermined spacing from one another in the planar configuration; and wherein a biased spring element disposed between adjacent tines between the looped elements and tips of the tines, the biased spring element the annular-shaped body is configured to resiliently allow the tips of the tines to be moved away from one another, and wherein the biased spring element comprising a curved inner regions that limits penetration depths of the adjacent tines.

18.-35. (Canceled).

36. (Currently Amended) A device for engaging tissue, comprising:

an annular-shaped body defining a plane and disposed about a central axis extending substantially normal to the plane, the body being resiliently deformable from a substantially planar configuration lying generally in the plane towards a transverse configuration extending out of the plane, the body comprising a plurality of curved looped elements defining an outer periphery of the body, each looped element including a curved outer region connected to a curved inner region, the curved outer region being out of phase with adjacent curved inner regions, adjacently positioned looped elements being connected to form an endless sinusoidal pattern; and

a plurality of arcuate tines extending from the curved elements inner regions towards the central axis of the generally annular-shaped body in the planar configuration, and generally parallel to the central axis in the transverse configuration, ; ~~and a biased spring element disposed between adjacent tines, the biased spring element wherein the annular-shaped body is configured to~~ resiliently allowing the tips of the tines to be moved away from one another and to be moved from within the substantially planar configuration lying generally in the plane towards the transverse configuration extending out of the plane, ~~the biased spring element comprising a and wherein the curved inner regions that limits penetration depths~~ of the adjacent tines.

37. (Previously Presented) The device of claim 17, wherein the plurality of tines further comprises primary tines having a first length and secondary tines having a second length.

38. (Previously Presented) The device of claim 37, wherein the first lengths of the primary tines are substantially longer than the second lengths of the secondary tines.

39. (Previously Presented) The device of claim 37, wherein the one or more secondary tines comprise tines disposed on either side of a primary tine.

40. (Previously Presented) The device of claim 17, wherein the body is biased towards the planar configuration for biasing the plurality of tines generally towards the central axis.

41. (Currently Amended) The device of claim 17, wherein the plurality of tines, ~~the spring element~~, and the body are formed from a single sheet of material.

42. (Previously Presented) The device of claim 41, wherein the sheet of material comprises a superelastic alloy.

43. (Currently Amended) The device of claim 17, wherein the ~~spring element is looped elements are~~ expandable between expanded and compressed states for increasing and reducing, respectively, a periphery of the body in the transverse orientation.

44. (Currently Amended) The device of claim 43, wherein ~~spring element is looped elements are~~ biased towards the compressed state.

45.-49 (Canceled).

50. (Currently Amended) A device for engaging tissue, comprising:

an annular-shaped body defining a plane and disposed about a central axis extending substantially normal to the plane, the body being resiliently deformable from a substantially planar configuration lying generally in the plane towards a transverse configuration extending out of the plane, the body comprising a plurality of looped elements extending about a periphery of the body, each looped element including a curved outer region connected to a curved inner region, the curved outer region being out of phase with adjacent curved inner regions, adjacently positioned looped elements being connected to form an endless sinusoidal pattern, the body being biased to return to the substantially planar configuration; and  
a plurality of tines extending from the looped elements towards the central axis of the generally annular-shaped body in the planar configuration, and generally parallel to the central axis in the transverse configuration, the tines comprising tips having a predetermined spacing from one another in the planar configuration; and, wherein the curved inner regions form a biased spring element disposed between adjacent tines between the looped elements and tips of the tines, the biased spring element resiliently allowing the tips of the tines to be moved away from one another, ~~the biased spring element comprising a~~ the curved inner regions limiting that limits penetration depths of the adjacent tines.

51. (Canceled)

52. (Previously Presented) The device of claim 50, wherein the plurality of tines further comprises primary tines having a first length and secondary tines having a second length.

53. (Previously Presented) The device of claim 52, wherein the first lengths of the primary tines are substantially longer than the second lengths of the secondary tines.

54. (Previously Presented) The device of claim 52, wherein the one or more secondary tines comprise tines disposed on either side of a primary tine.

55. (Previously Presented) The device of claim 50, wherein the body is biased towards the planar configuration for biasing the plurality of tines generally towards the central axis.

56. (Previously Presented) The device of claim 50, wherein the plurality of tines, the spring element, and the body are formed from a single sheet of material.

57. (Previously Presented) The device of claim 56, wherein the sheet of material comprises a superelastic alloy.

58. (Previously Presented) The device of claim 50, wherein the spring element is expandable between expanded and compressed states for increasing and reducing, respectively, a periphery of the body in the transverse orientation.

59. (Previously Presented) The device of claim 58, wherein the spring element is biased towards the compressed state.